

Message Text

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ORIGIN EUR-12

INFO OCT-01 ISO-00 L-03 H-02 CIAE-00 DODE-00 INR-07

NSAE-00 PA-01 PRS-01 SP-02 USIE-00 INRE-00 OES-06

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DRAFTED BY EUR/CAN:KKJONIEZ;L/EUR:KSGUDGEON:CLJ
APPROVED BY EUR-RDVINE
EUR/CAN:JHROUSE,JR.
EUR/P:FSEIDNER
H:RPUGH

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O 052058Z OCT 76
FM SECSTATE WASHDC
TO AMEMBASSY OTTAWA IMMEDIATE
AMCONSUL TORONTO IMMEDIATE
AMCONSUL MONTREAL IMMEDIATE

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E.O. 11652: N/A

TAGS: SENV, US, CA

SUBJECT: PRESS GUIDANCE RE CHICAGO DIVERSION

1. FOLLOWING IS PRESS GUIDANCE TO BE USED ON AN IF ASKED BASIS, AND IN EMBASSY'S DISCRETION, AS APPROPRIATE FOR BACKGROUND BRIEFING OF MEMBERS OF THE CANADIAN PRESS. THE WATER RESOURCES DEVELOPMENT ACT OF 1976 CONTAINS LANGUAGE INITIALLY INTRODUCED IN THE HOUSE OF REPRESENTATIVES BY A NUMBER OF CONGRESSMEN TO PERMIT A FIVE-YEAR DEMONSTRATION PROGRAM INCREASING THE AMOUNT OF THE CHICAGO DIVERSION FROM ITS PRESENT RATE OF 3,200 CFS UP TO A MAXIMUM OF 10,000 CFS. THE PROGRAM CONTEMPLATED INCLUDES PROVISIONS FOR REDUCING THE DIVERSION DURING LOW-WATER PERIODS.

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2. UPON LEARNING OF THE HOUSE BILLS, WHICH WERE SUBSE-

QUENTLY COMPILED WITH OTHER LEGISLATION TO FORM THIS ACT, THE DEPARTMENT OF STATE WROTE TO THE CHAIRMAN OF THE RESPONSIBLE (I.E. WATER RESOURCES) SUBCOMMITTEE OF THE HOUSE TO URGE, IN THE STRONGEST POSSIBLE TERMS, THAT SUCH LEGISLATION NOT BE ADOPTED WITHOUT PRIOR CONSULTATION WITH CANADA. WE REFERRED TO TESTIMONY OF THE DEPARTMENT BEFORE THE SUBCOMMITTEE IN OCTOBER 1974 CONCERNING CANADIAN OPPOSITION TO SIMILAR PROPOSALS TO INCREASE UNILATERALLY THE CHICAGO DIVERSION. OUR COMMENTS NOTWITHSTANDING, THE

SUBCOMMITTEE REPORTED THE BILL WITHOUT HOLDING HEARINGS AND WITHOUT MAKING ANY MAJOR CHANGES IN RESPONSE TO OUR CONCERNS.

3. AFTER THE PROVISION PASSED THE HOUSE WE FURTHER WROTE TO ALL MEMBERS OF THE HOUSE-SENATE CONFERENCE COMMITTEE ENCLOSING A COPY OF OUR EARLIER LETTER AND REPEATING OUR OPPOSITION TO THE PROPOSED LEGISLATION WITHOUT PRIOR CONSULTATIONS. IN A LATE NIGHT SESSION, THE CONFEREES APPROVED THE BILL WITHOUT MODIFYING THE DIVERSION PROVISION AND IT PASSED BOTH HOUSES SHORTLY BEFORE ADJOURNMENT.

4. THE DEPARTMENT OF STATE IS PRESENTLY AWAITING THE EXACT TEXT OF THE ACT AND WILL REVIEW ITS POSITION AS SOON AS THIS IS RECEIVED. THE ACT CONTAINS A NUMBER OF OTHER PROVISIONS AND WILL BE THE SUBJECT OF INTERAGENCY COORDINATION AND DISCUSSION WITHIN THE EXECUTIVE BRANCH. KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: WATER SUPPLY SYSTEM, PRESS COMMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 05 OCT 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ellisoob
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE247572
Document Source: CORE
Document Unique ID: 00
Drafter: KKJONIETZ;L/EUR:KSGUDGEON:CLJ
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760375-1170
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761080/aaaacrkh.tel
Line Count: 88
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: ellisoob
Review Comment: n/a
Review Content Flags:
Review Date: 14 APR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <14 APR 2004 by ElyME>; APPROVED <12 AUG 2004 by ellisoob>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: PRESS GUIDANCE RE CHICAGO DIVERSION
TAGS: SENV, US, CA
To: OTTAWA TORONTO MONTREAL
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006